

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARRED F. NORMAN,
Plaintiff,

v.

STATE BAR OF CALIFORNIA, et al.,
Defendants.

Case No. 22-cv-02390-MMC

**ORDER DISMISSING ACTION
WITHOUT FURTHER LEAVE TO
AMEND; DIRECTIONS TO CLERK**

Before the Court is Magistrate Judge Alex G. Tse's Report and Recommendation, filed August 11, 2023, whereby said Magistrate Judge recommends the Court dismiss the above-titled action for failure to state a claim. Plaintiff Garred Norman has not filed a response thereto.

Having read and considered the Report and Recommendation, the Court will, for the reasons stated below, adopt the recommendation to dismiss the above-titled action.

In the Report and Recommendation, Magistrate Judge Tse recommends dismissal, noting the initial Complaint fails to state a cognizable claim for relief and plaintiff, although afforded leave to file an amended complaint by August 10, 2023, failed to do so. (See Screening Order, filed July 21, 2023.) On August 11, 2023, however, the same day on which the Report and Recommendation was filed, plaintiff filed an Amended Complaint.

Although the Amended Complaint was filed a day late and without explanation, the Court nonetheless will consider the Amended Complaint the operative complaint. Having reviewed the Amended Complaint, however, the Court finds it wholly deficient for the reasons stated in Magistrate Judge Tse's Screening Order, and, consequently, the


1 Amended Complaint, like the initial Complaint, fails to state a cognizable claim.

2 Lastly, as explained in the Screening Order, plaintiff has filed three other actions in
3 this District in which he made the same claims as those asserted in the instant action,
4 and each of those three actions was dismissed with prejudice. Under such
5 circumstances, the Court finds further leave to amend would be futile.

6 Accordingly, the instant action is hereby DISMISSED without further leave to
7 amend, and the Clerk of Court is DIRECTED to close the file.

8 **IT IS SO ORDERED.**

9
10 Dated: August 31, 2023


MAXINE M. CHESNEY
United States District Judge

United States District Court
Northern District of California